REMARKS

Claims 2, 3, 6-10, 12-20, 22, 24-35, 37-41, and 47-56 are pending, with claims 2, 16, 24, 31, and 39 being independent. Claims 19 and 34 have been cancelled by this amendment. Claims 2, 8, 9, 15, 16, 20, 24, 28, 31, 35, 37, 39, 47, 48, 51, 53, 54, and 56 have been amended. No new matter has been added. Reconsideration and allowance of the above-referenced application are respectfully requested.

Rejections under 35 U.S.C. §§ 102 and 103

Claims 2, 3, 6-10, 12-18, 22, 24-35, 37-41, and 47-56 stand rejected under 35 U.S.C. § 102(e) as allegedly being anticipated by U.S. Patent No. 6,694,434 to McGee et al. (hereinafter "McGee"). Claims 19 and 20 stand rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over McGee. These rejections are respectfully addressed.

The Advisory Action mailed 02-11-2009 states, "It is noted that none of the independent claims recite the user-dependent association information is to identify the second electronic document." Thus, in order to clarify the claimed subject matter, each of independent claims 2, 24 and 39 have been amended to explicitly state that the user-dependent association information indicates the second electronic document to be used. In addition, to make sure there is no ambiguity, these claims have also been amended to state, "the second electronic document indicated by the user-dependent association information being dependent on an identified user at the client."

In stark contrast, the user specific privileges information in McGee controls whether or not a particular program is allowed to run,[1] but not which second document is provided at a client, as recited in the claims. Thus, the rejection of claims 2, 24, and 39 should be withdrawn for at least this reason. Moreover, each of claims 2, 24, and 39 should be in condition for allowance, and their dependent claims should be allowable for similar reasons and the additional recitations they contain.

For example, claims 8, 48, and 53 have been amended to clarify that the level of granularity is smaller than the distributed electronic document within the distributed document (e.g., controlling access to specific page(s), paragraph(s) and/or word(s) in the document).[2] The cited portion of McGee[3] describes limiting execution privileges based on time of day, device, user or resources to be accessed on a computer, but fails to teach or suggest access permissions at a level of granularity smaller than a distributed electronic document within the distributed document.

In addition, claims 9, 28, and 54 have been amended to recite, "wherein the distributed electronic document is a stub document identified as outdated when originally sent for distribution."[4] McGee fails to teach or suggest this subject matter.

Independent claim 16 has been amended to include the subject matter of cancelled claim 19. The Office has taken Official Notice regarding this subject matter, but draws an improper conclusion from the Official Notice. The Office states:[5]

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[1] *See e.g.*, McGee at col. 6, lines 19-67.
[2] *See e.g.*, Specification at ¶ [0074].
[3] *See* McGee at col. 6, lines 59-67.
[4] *See e.g.*, Specification at ¶ [0141].

37). **McGee et al** does not explicitly disclose **transparently** closing **the** distributed document and opening the second document. Examiner takes official notice that in Windows application to perform an upgrade, the **old** version **of** the application is closed, upgraded, then the new version is subsequently opened. This feature is very well known in the art. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to transparently closing the distributed document and opening the second document because it would allow files to be replaced or overwritten and not corrupted on the old version by closing it as known in the art.

As is clear from the above passage, the Official Notice does not include "transparently", as recited in the claims. Moreover, the conclusion drawn by the Office does not follow from the Official Notice taken since the upgrade process noted by the Office necessarily involves obtaining user permission before performing the noted actions, and thus actually teaches away from the claimed subject matter of "forcing use comprises transparently closing the distributed document and opening the second document."[6] Similar reasoning applies to independent claim 31. Thus, the rejection of claims 16 and 31 should be withdrawn for at least this reason. Moreover, each of claims 16 and 31 should be in condition for allowance, and their dependent claims should be allowable for similar reasons and the additional recitations they contain.

For example, dependent claims 20 and 35 recite, "transparently overwriting the distributed document with the second document." The cited portions of McGee[7] say nothing about overwriting, as claimed.

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[5] *See* 11-17-2008 Office Action at page 14.
[6] Emphasis added.
[7] *See* McGee at col. 2, lines 35-41, and col. 12, lines 45-63.

Conclusion

The foregoing comments made with respect to the positions taken by the Office are not to be construed as acquiescence with other positions of the Office that have not been explicitly contested. Accordingly, the above arguments for patentability of a claim should not be construed as implying that there are not other valid reasons for patentability of that claim or other claims.

A notice of allowance is respectfully requested. Please apply the Request for Continued Examination (RCE) fee and any other necessary charges or credits to deposit account 06-1050.

Respectfully submitted,

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